

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

ARTHUR TAYLOR,)
)
Plaintiff,)
)
vs.) Case No. 4:05CV540 HEA
)
)
AARON MITCHELL, et al.,)
)
Defendants.)

RECOMMENDATION FOR DISBURSEMENT

This matter is before the Court on the Amended Motion for Disbursement for Costs pursuant to 28 U.S.C. 1915 (e) filed by Beth Boggs, and Douglas Keane of Boggs, Boggs, and Bates.

Ernie Brasier of Boggs, Boggs, and Bates was appointed to represent Arthur Taylor. Mr. Brasier passed away on December 19, 2006, and Beth Boggs and Douglas Keane entered their appearance on behalf of Boggs, Boggs, and Bates to continue the firm's representation of plaintiff in the above-styled action. Local Rule 12.03 provides that upon written motion and in the Court's discretion, disbursements may be made from the Attorney Admission Fee Non-Appropriated Fund to reimburse a court-appointed attorney for reasonable expenses incurred in representing an indigent client in a civil matter. An administrative order issued by the United States District Court for the Eastern District of Missouri in February 2004 states that the judge to whom a case is assigned is authorized to approve

reimbursements not to exceed \$2,500.00. If the amount sought exceeds \$2,500.00, the request for reimbursement together with a recommendation from the trial judge shall be forwarded to the Chairperson of the Non-Appropriated Fund Committee. A request in excess of \$2,500.00 and less than \$5,000.00 must then be approved by a majority of the Committee.

Appointed counsel in the instant case seeks reimbursement for attorney fees in the amount of \$9,018.00. However, the maximum reimbursement for attorney's fees in any one case is \$2,500.00. In the instant case appointed counsel requests reimbursement of out-of-pocket expenses incurred in the investigation and prosecution of this claim in the amount of \$910.54. The total amount of requested reimbursement is therefore, \$3,410.54. The Court finds the Motion for Reimbursement of Expenses was timely filed and the fees and expenses were reasonable and necessary to the preparation of the case.

Accordingly,

IT IS HEREBY RECOMMENDED that the Motion for Disbursement of Costs be **APPROVED**.

Dated this 11th day of October, 2007.



HENRY EDWARD AUTREY
UNITED STATES DISTRICT JUDGE